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**FACSIMILE TRANSMISSION FORM**

Date: February 6, 2004		No. of pages including cover sheet: 4	
To: Ulrike Winkler, PhD		Company: USPTO	
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SPECIAL INSTRUCTIONS: IF NOT USA PLEASE INDICATE COUNTRY & CITY CODE NUMBER			
From: David Toren		Ext. 7355	Floor: 26

Re: Application No. 09/380,015 in the name of Carsten Korth filed on August 23, 1999 (DT-3073)

**COMMENTS:**

Dear Dr. Winkler:

As discussed with you over the telephone, we have appealed this case since we have not received any correspondence from you. A copy of the *Notice of Appeal* and the *Petition for Third Month Extension of Time* is transmitted herewith.

Your attention in this matter is appreciated.

Respectfully submitted,

David Toren

*Problems with this transmission should be reported to: (212) 839-7355*

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NYI 5504207v1

DT-3073

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANT: Carsten Korth, et al.  
SERIAL NO. 09/380,015  
FILED: August 23, 1999  
FOR: Immunological Detection of Prions  
EXAMINER: Ulrike Winkler, Ph.D Group: 1648  
Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Sir:

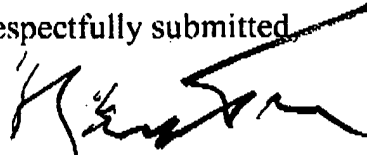
In response to the Final Office Action originally dated July 2, 2003 but remailed on August 8, 2003 (a request for third-month extension of time being enclosed), Applicants hereby appeal the final rejection of claims 77-117.

In the event that the last amendment has been entered, Applicants appeal from the claims in the last amendment, namely: 77-86; 88; 90; 93; 108; 109 and 113.

The Commissioner is hereby authorized to charge the fee required under 37 C.F.R. §1.17(b) of \$330.00, as well as any additional fees which may be

required or credit any overpayment, to our Deposit Account No. 50-0955. A duplicate copy of this Notice is attached.

Respectfully submitted,



David Toren, Reg. No. 19,468

Dated: February 6, 2004  
Sidley Austin Brown & Wood LLP  
787 Seventh Avenue  
New York, NY 10019  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 6, 2004.

